

**PROTECTION and ADVOCACY for BENEFICIARIES of SOCIAL SECURITY (PABSS)**

**SEMI-ANNUAL PROGRAM PERFORMANCE REPORT**

**REPORTING PERIOD: From 10/1/2012 To 9/30/2013**

**GRANT AWARD NUMBER: 4 PAB13020323-01-01**

**STATE: IN**

**AGENCY NAME: INDIANA - Indiana Protection and Advocacy Services**

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**DATE SUBMITTED: 1/1/0001**

**Part I - Quantitative Statistics****Section A: Information and Referral**

1. How many individuals received Information and Referral under the PABSS program during the Report Period? (Do not count individuals more than once for this response.)

Individuals Receiving I&R	21
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2. How many Information and Referral requests were made under the PABSS program during the report period? (Include all I&R requests, even if more than one for some individuals. This number should equal or exceed Section A. 1.)

Information and Referral Requests	21
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**Section B: Individuals and Issue Area Service Requests/Workload Statistics****1. Individuals**

a. How many individuals had open PABSS issue area service requests at the start of the report period?	6
b. How many new PABSS individuals were added during the report period?	10
<b>Total Individuals Served</b>	<b>16</b>
c. Total number of individuals with all issue area service requests that were closed during the report period under the PABSS program	10
<b>Total Individuals Still Being Served</b>	<b>6</b>

**2. Services**

a. Total PABSS issue area service requests open at the start of the report period.	6
b. Number of new PABSS issue area service requests added during the report period?	10
<b>Total Services</b>	<b>16</b>
c. Total number of issue area service requests closed during the report period?	10
<b>Total Services Still Open</b>	<b>6</b>

**Section C: Individual Demographics**

1. Please provide counts of individuals served by Gender:

a. Male	5
b. Female	5
<b>Total individuals receipted</b>	<b>10</b>

**2. Please provide counts of individuals served by Ethnicity:**

<b>a. Alaskan Native</b>	<b>0</b>
<b>b. American Indian</b>	<b>0</b>
<b>c. Arab American (Middle Eastern)</b>	<b>0</b>
<b>d. Asian</b>	<b>1</b>
<b>e. Black (Not Hispanic/Latino Origin)</b>	<b>3</b>
<b>f. Hispanic/Latino</b>	<b>0</b>
<b>g. Multi Racial / Multi Cultural</b>	<b>1</b>
<b>h. Pacific Islander</b>	<b>0</b>
<b>i. White (Not Hispanic/Latino Origin)</b>	<b>5</b>
<b>j. Unknown</b>	<b>0</b>
<b>Other (IF SELECTED MUST SPECIFY)</b>	<b>0</b>
<b>Total individuals received</b>	<b>10</b>

**3. Please provide counts of individuals received by Age Bracket:**

<b>a. 14 to 18</b>	<b>0</b>
<b>b. 19 to 21</b>	<b>1</b>
<b>c. 22 to 40</b>	<b>4</b>
<b>d. 41 to 59</b>	<b>5</b>
<b>e. 60 to 64</b>	<b>0</b>
<b>Total individuals received</b>	<b>10</b>

**4. Please provide counts of individuals received by Beneficiary Status.**

<b>a. SSI eligible</b>	<b>3</b>
<b>b. SSDI eligible</b>	<b>6</b>
<b>c. Dually eligible</b>	<b>1</b>
<b>Total individuals received</b>	<b>10</b>

**5. Please provide counts of individuals received by Primary Disability:**

<b>a. Absence of extremities</b>	<b>0</b>
<b>b. Autism</b>	<b>0</b>
<b>c. Auto-immune (lupus, thyroid, ALS, etc.)</b>	<b>0</b>
<b>d. Blindness (both eyes)</b>	<b>0</b>
<b>e. Cancer</b>	<b>0</b>
<b>f. Cerebral palsy</b>	<b>1</b>
<b>g. Deaf-blind</b>	<b>0</b>
<b>h. Deafness</b>	<b>1</b>

i. Diabetes	0
j. Digestive disorders (chronic pancreatitis, esophageal stricture, fistulae, chronic liver, etc.)	0
k. Epilepsy	1
l. Genitourinary conditions (kidney, prostate, etc.)	0
m. Hard of Hearing (not deaf)	0
n. Heart and other circulatory problems including cardiovascular	0
o. HIV/AIDS	0
p. Mental illness (diagnosis according to DSM-IV)	3
q. Mental retardation	1
r. Multiple sclerosis	0
s. Muscular dystrophy	0
t. Muscular / Skeletal impairment (arthritis, fibromyalgia, osteogenesis imperfecta, osteomyelitis, etc.)	0
u. Neurological disorders (brain tumors, convulsive disorders, Parkinson, etc.)	0
v. Other emotional/behavioral (Provide detail)	0
w. Other intellectual such as ADD/ADHD (Provide detail)	0
x. Physical / orthopedic including spinal cord injuries, paraplegia, quadriplegia, back problems, etc.	2
y. Respiratory disorders (emphysema, asthma, pulmonary hypertension, cystic fibrosis, etc.)	0
z. Specific learning disabilities (SLD)	1
aa. Speech impairment	0
bb. Spina bifida	0
cc. Substance abuse (alcohol or drugs)	0
dd. Tourette syndrome	0
ee. Traumatic brain injury (TBI)	0
ff. Visual Impairment (not blind)	0
gg. Disability not known/Other than Above (Specify)	0
<b>Total individuals receipted</b>	<b>10</b>

#### **Section D: Major Source of Concern**

Please Provide counts of all PABSS issue are service request receipts by major source of individual's concern for the current report period:

1. State Vocational Rehab Agency (public VR program)	9
2. Employment Networks (SSA contractor)	0
3. Agencies other than 1. or 2. above	0

4. Employment discrimination – hire, fire, promotion	0
5. Employment wages and benefits	0
6. Housing	0
7. Healthcare (not 5 above)	0
8. Insufficient/improper benefits planning	0
9. Transition services (Student beneficiary between 14-18 (or under age 22) engaging/needing a transition plan)	1
10. Post Secondary accommodation	0
11. Transportation	0
12. Social Security benefits cessation based on SGA (including CDR's) – not Overpayment	0
13. Benefits Questions/Work Incentives – Not 12 or 14	0
14. Work Related Overpayment	0
15. Other (IF SELECTED MUST SPECIFY)	0
<b>Total issues/service requests of individuals receipted.</b>	<b>10</b>

### **Section E: Closed Issue Area Service Requests**

#### **1. What was the problem/sub-problem area?**

a. [AT] Assistive Technology	0
b. [Education] Transition school to work	0
c. [Employment] Discrimination in employment benefits	0
d. [Employment] Discrimination in hiring	0
e. [Employment] Unlawful termination / firing	0
f. [Employment] Other employment discrimination	0
g. [Employment] Reasonable accommodation – not d, e, or f from above	0
h. [Employment] Service provider issues – not c-g above	0
i. [Employment] Wage and hour issues	0
j. [Financial Entitlements] SSI: Overpayments based on work issues	0
k. [Financial Entitlements] SSDI: Overpayments based on work issues	1
l. [Financial Entitlements] (other) – Specify	0
m. [Healthcare] Medicaid only issues	0
n. [Healthcare] Medicare/Medicaid issues	0
o. [Healthcare] Medicare only issues	0
p. [Healthcare] Private Insurance Issues	0
q. [Housing] Accommodations in housing	0
r. [Housing] Subsidized housing/Section 8	0
s. [Housing] Rental termination – not q .	0
t. [Housing] Other – Specify	0

<b>u. [Childcare]</b>	<b>0</b>
<b>v. [Rehab Services] Related to State VR</b>	<b>8</b>
<b>w. [Rehab Services] Related to Employment Network (EN)</b>	<b>0</b>
<b>x. [Rehab Services] Related to Agencies other than State VR or Employment Network (EN)</b>	<b>1</b>
<b>y. [Post-Secondary Ed] Accessibility</b>	<b>0</b>
<b>z. [Post-Secondary Ed] Funding issues</b>	<b>0</b>
<b>aa. [Post-Secondary Ed] Grievance Against College – Not y or z above</b>	<b>0</b>
<b>bb. [Post-Secondary Ed] Other – Specify</b>	<b>0</b>
<b>cc. [Services] Personal assistance – not Employment</b>	<b>0</b>
<b>dd. [Transportation]</b>	<b>0</b>
<b>ee. [Benefits Planning] referral / access to BPAO services</b>	<b>0</b>
<b>ff. [Other] (IF SELECTED MUST SPECIFY)</b>	<b>0</b>
<b>Total closed issue area service requests.</b>	<b>10</b>

**2. What was the reason for closing the individual's issue area service request?**

<b>a. Issue Resolved in Individual's Favor</b>	<b>3</b>
<b>b. Issue Partially Resolved in Individual's Favor</b>	<b>0</b>
<b>c. Issue Lacked Legal Merit</b>	<b>5</b>
<b>d. Individual decided not to pursue resolution or Individual Withdrew Complaint (Not e-g below)</b>	<b>0</b>
<b>e. Other Representation Obtained (Individual found other representation)</b>	<b>0</b>
<b>f. Individual Not Responsive to Agency / Individual refused to cooperate with P&amp;A</b>	<b>2</b>
<b>g. Services Not Needed Due to lost contact, Death, Relocation, etc.</b>	<b>0</b>
<b>h. Advocacy efforts/appeals were unsuccessful (Issue not resolved in Individual's Favor)</b>	<b>0</b>
<b>i. Other (IF SELECTED MUST SPECIFY)</b>	<b>0</b>
<b>Total closed issue area service requests.</b>	<b>10</b>

**3. What was the highest intervention strategy used?**

<b>a. Short Term/Technical assistance</b>	<b>5</b>
<b>b. Informal Resolution</b>	<b>1</b>
<b>c. Investigation/Monitoring</b>	<b>2</b>
<b>d. Negotiation</b>	<b>0</b>
<b>e. Mediation / Alternative Dispute Resolution</b>	<b>1</b>
<b>f. Administrative Remedies</b>	<b>0</b>
<b>g. Legal remedy / Litigation</b>	<b>1</b>
<b>h. Class Action Suits</b>	<b>0</b>

<b>i. Systemic / Policy activities</b>	<b>0</b>
<b>Total closed issue area service requests.</b>	<b>10</b>

**4. As a result of P&A intervention, the following major outcome was achieved:**

<b>a. Individual gained / maintained access to services including those of VR, EN or other agency</b>	<b>3</b>
<b>b. Individual obtained employment</b>	<b>0</b>
<b>c. Individual regained employment</b>	<b>0</b>
<b>d. Individual maintained employment</b>	<b>0</b>
<b>e. Individual advanced in employment</b>	<b>0</b>
<b>f. Individual's employment opportunities increased</b>	<b>0</b>
<b>g. Individual obtained an increase in salary and/or benefits</b>	<b>0</b>
<b>h. Validity of discrimination complaint was upheld</b>	<b>0</b>
<b>i. Overpayment situation addressed (it doesn't matter if it was waived or the efforts weren't successful)</b>	<b>1</b>
<b>j. Individual acquired knowledge concerning his/her rights</b>	<b>4</b>
<b>k. Outcome information is not available</b>	<b>2</b>
<b>l. Other outcome (IF SELECTED MUST SPECIFY)</b>	<b>0</b>
<b>Total outcomes of closed issue area service requests.</b>	<b>10</b>

**Part II - Narrative Reporting**

**Section A: Description of Progress and Status Update**

Please provide a brief overview of overall project status, staff changes, staff training or other major developments with regard to the PABSS program. This could include information about boards and committees where decisions are made concerning disability service delivery and local policy.

Because of the Social Security Administration (SSA) issuance of no cost extensions through March 2014, IPAS has been able to once again provide valuable services to Hoosier beneficiaries in need of advocacy. The extension permitted IPAS to see through to completion the six cases which were carried into FFY 2013. The 2013 grant was received by IPAS in March 2013 so the project had to be ramped up again once the grant was received. Because of the relatively short time frame of the current grant, IPAS has received only one customer satisfaction survey response indicating that our services have been helpful and that the beneficiary would call IPAS again if they needed services.

IPAS experienced several personnel changes in 2013. A new IPAS Executive Director was named in August. An IPAS PABSS Advocate was promoted from within to the PABSS Project Manager position and a newly hired Advocate has attended and completed the mandatory PABSS training that was provided by the National Disability Rights Network (NDRN) in September 2013 in Austin Texas. Another PABSS Advocate

attended the Client Assistant Program (CAP) training provided NDRN.

The PABSS Project Manager is a member of Indiana's Commission of Rehabilitation Services and the Chair for that Commission's Policy and Oversight Committee. In this capacity, IPAS has an opportunity to provide input with regard to the policies affecting beneficiaries work or return-to-work efforts and services. The PABSS Project Manager and a PABSS Advocate are also actively involved in the Indiana Traumatic Brain Injury Association and provide input to their Leadership Board. Another IPAS PABSS Advocate is an active member of the statewide Indiana Council on Independent Living. These boards and councils give IPAS's PABSS program a voice in decisions made concerning disability service delivery.

IPAS continues collaboration with the Department of Education here in Indiana. Specifically, local school districts agreed to distribute nearly 2000 IPAS-developed informational guides entitled "Transition Planning Handbook-A Guide for Parents". These guides provide transitioning students with disabilities and their families valuable information as they make this move in to adulthood.

Other outreach efforts include attending and exhibiting at many local school "transition fairs", state conferences, expos, state operated facilities and independent living centers in order to dispense and distribute information about IPAS services.

Another continuing project this year is the Social Security Administration's (SSA) Representative Payee (Rep Payee) Project. IPAS has conducted ten Rep Payee site surveys under a SSA contract in 2013. SSA first requested IPAS assistance with this project in 2009. Since that time, IPAS has surveyed more than 30 Rep Payee providers to assure that the Rep Payee is meeting the SSA beneficiaries' needs for adequate food, shelter, medical care, and other basic needs. Over the past year, IPAS has reviewed Rep Payee financial records, interviewed beneficiaries and the payees and submitted final reports to the NDRN for approval. IPAS not only recommended that SSA conduct a follow up review of some payees due to identified bookkeeping irregularities or suspected fraudulent practices, but also made additional referrals to IPAS and other entities relating to matters other than Rep Payee services.

## **Section B: Detail of Actions Taken on the Project**

**1. Issue Area Service Requests Summaries:** [Please provide summaries of three Issues/Service Requests undertaken as part of the PABSS project. Indicate clearly the issue or problem, the PABSS intervention, and the results if known]

### **Service request #1-**

A Social Security beneficiary contacted IPAS for assistance with an appeal of a denial of eligibility for Vocational Rehabilitation Services (VRS). The beneficiary received a denial letter from VRS and the VRS counselor told her that because of the severity of her disability, she would not be able to obtain gainful employment. The beneficiary said that she wanted to appeal the VRS decision because she wanted a job and needed help getting a job. She asked for IPAS assistance. IPAS agreed to fact find to determine if VRS had violated the beneficiaries' rights by not serving her. During fact finding, the



beneficiary said that all issues with VRS had been resolved, so an appeal was not necessary. She did however ask IPAS to remain involved to help advocate for appropriate VR services. VRS then scheduled a trial work experience to determine if the client would be able to benefit from VRS services. The beneficiary expressed her gratitude to IPAS for assisting her to a point where VRS agreed to assess her abilities and requested that her IPAS service be closed.

#### **Service request #2-**

This service request was opened in February 2013. The caller reported that he had asked Vocational Rehabilitation Services (VRS) for a review of an appeal hearing decision in which VRS's decision to deny him certain services was upheld. He disagreed with the decision, said he put this in writing as instructed by the Independent Hearing Officer and submitted it in a timely fashion to VRS central office. He never received a response. An IPAS Advocate was assigned to provide technical assistance to determine if, in fact, the beneficiary made the request for the hearing decision review, if VRS received the request and if they had, find why they had not responded. The fact finding conducted by IPAS concluded that VRS had received the request from the beneficiary but could not explain why it had not been responded to in a timely manner per the VRS policy. VRS then immediately issued and mailed a review decision to the client that upheld the hearing officer's decision. No explanation was given for the delay. Once the decision was received, the beneficiary informed IPAS that he would not pursue the issue any further as VRS had recently assigned him a new counselor and they were "starting over" to develop a plan for employment.

#### **Service request #3-**

A beneficiary contacted IPAS due to the closure of her VRS case in which she was determined to be ineligible for services. Specifically, VRS found that the beneficiary's failed "Trial Work Experience" (TWE) supported closure of her case on the basis that she could not benefit from VRS services. IPAS fact-finding determined that the client had multiple disabilities which could have been considered barriers to employment and that only a part of these disabilities had been previously assessed and addressed. The IPAS Advocate and IPAS legal team found issues related to the denial of services and case closure. IPAS offered to provide legal assistance to the client in the administrative process. A "Legal Representation Agreement" was offered by the assigned IPAS attorney, and subsequently signed by the client. The hearing officer, after reviewing the facts, found that VRS had not shown by clear and convincing evidence that the beneficiary could not benefit in terms of employment from the provision of Vocational Rehabilitation services. Additionally, she found that VRS was not justified in determining the client ineligible for services. VRS's decision was reversed and now the beneficiary is being provided with additional assessments to establish her eligibility for the program.

## **2. Outreach Statistics:**

<b>Total Number of Outreach/Presentations</b>	<b>112</b>
<b>Total Number of Persons Reached by Outreach/ Presentation Events</b>	<b>37517</b>

**3. Other Information Dissemination Activities: (Number of Instances)**

<b>1. Radio/TV appearances by PABSS staff</b>	<b>0</b>
<b>2. Newspaper/Magazine/Journal articles prepared by staff</b>	<b>0</b>
<b>3. PSAs/videos/films aired by the Agency</b>	<b>0</b>
<b>4. Reports disseminated</b>	<b>0</b>
<b>5. Publications/Booklets/Brochures disseminated</b>	<b>11332</b>
<b>6. Number of Website hits</b>	<b>99769</b>
<b>7. Other media activities (IF SELECTED MUST SPECIFY)</b>	<b>0</b>

**4. Outreach Narrative: [Describe the agency's outreach efforts. Describe the trainings presented by the staff including information about the topics covered, the purpose of the training, and a description of the attendees. Describe media events, informational materials developed or other activities undertaken as part of the PABSS project.]**

Due to a high staff turnover at Indiana Vocational Rehabilitation Services (VR) as well as staff changes within IPAS, outreach efforts this year focused on educating new VR counselors and Independent Living Center (ILC) staff about the PABSS program. Advocates met with and shared information with VR/ILC staff in Indianapolis, Vincennes, Terre Haute, Huntingburg, Evansville, Clarksville, and Bloomington. More than 70 staff members learned about the PABSS program and the services available; information and referral, technical assistance, education and legal support. The PABSS Project Manager met with the newly appointed VR Director to discuss other projects being developed to reach individuals with disabilities. PABSS staff also met with one of the State's benefits planning organizations once grant funding was reestablished.

**Section C: Problems Encountered and Steps Taken to Resolve Problems**

**Problems encountered and steps taken to resolve problems: [Please provide detail information about problems encountered in implementing or administering the PABSS program and actions you have taken to resolve the problems you encountered.]**

Indiana has not experienced any specific problem in implementing or administering the PABSS program except that due to the current government "shutdown" IPAS is waiting for SSA to approve the newly designed PABSS informational brochure. Once this is approved, IPAS will distribute those widely to inform beneficiaries of PABSS services. It is also anticipated that issuance of the 2014 grant will be delayed.

**Section D: Planned Future Activities**

**Planned activities: [Please provide activities you plan to undertake to further the objectives of the PABSS project.]**

**IPAS plans to participate in the following activities to further the objectives of the PABSS project:**

- collaborate with Work Incentive Planning and Assistance programs and Community Work Incentive Counselors in Northern and Southern Indiana to educate beneficiaries about benefits planning and work incentives**
- continue to outreach to schools and all transitioning students/families about PABSS services via exhibit booth space at Transition Fairs and distribution of the IPAS publication "Transition Handbook-A Guide for Parents"**
- closely supervise the newest member of the PABSS team as she is assigned specific service referrals**
- Meet with and educate additional Indiana Vocational Rehabilitation Services and Independent Living Centers staff about PABSS**
- continue assisting SSA with Representative Payee surveys and referring beneficiaries to IPAS if they report other disability related issues**

**Section E: Diversification Activities**

**Diversification activities: [Please provide a description of activities undertaken to address the needs of individuals with disabilities from diverse ethnic and racial communities.]**

**IPAS reaches very diverse communities at the Transition events hosted by local school transition teams. IPAS attends these throughout the State. Very rural farming communities and large metropolitan areas are provided information about IPAS and PABSS. Families from diverse ethnic/racial backgrounds attend these events.**